

## **REMARKS**

### **Overview**

Claims 1-36 are pending in the present application. Claims 1, 12, 27, 28, 29, 31, 35, and 36 have been amended. The Office Action of July 19, 2007 has been carefully reviewed. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

### **Double Patenting Issues**

Claims 1-36 are rejected on the ground of Nonstatutory obviousness-type double patenting as being unpatentable over claims 1-50 of U. S. Patent No. 6,542,721. A Terminal Disclaimer is being filed herewith to overcome these rejections.

### **Issues Under 35 U.S.C. § 112**

Claims 35-36 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 35 and 36 have been amended to overcome these rejections. In particular, in claims 35 and 36, the second occurrence of "third body" has been replaced with --first body--. Therefore, it is respectfully submitted that these rejections have been overcome.

### **Issues Under 35 U.S.C. § 102**

Claims 12-25 and 31-36 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kawamura et al. (JP 08-321863, hereinafter "Kawamura"). These rejections are respectfully traversed.

Claim 12 has been amended to recite "a close range transceiver disposed within the housing". Kawamura simply does not disclose this limitation. Therefore, this rejection to claim 12 should be withdrawn. As claims 13-25 depend from claim 12, these rejections should also be withdrawn. Claim 31 has been amended to recite "a close range transceiver disposed within the housing". As Kawamura does not disclose this limitation, this rejection to claim 31 should also be withdrawn. As claims 32-36 depend from claim 31, these rejections should also be withdrawn.

### **Issues Under 35 U.S.C. § 103**

Claims 1-2 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 6,510,325 to Mack, II et al. (hereinafter "Mack") in view of U. S. Patent No. 7,176,961 to Shimamura. These rejections are respectfully traversed.

Claim 1 has been amended to recite "a cellular transceiver in at least one of the first body or the second body; and a close range transceiver in at least one of the first body or the second body." It is further submitted that neither Mack nor Shimamura disclose the close range transceiver. Therefore, it is respectfully submitted that this rejection should be withdrawn for this independent reason as well.

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mack in view of Shimamura, and further in view of Yachi (JP406253296A) and U. S. Patent No. 6,714,233 to Chihara et al. These rejections are respectfully traversed.

None of the references cited show two separate close range transceivers within the same device. Nor does the Office Action provide any convincing evidence that one skilled in the art would combine the references cited in a manner that would result in the claimed device. The

Office Action reasons that "Thus, it would have been obvious to one of ordinary skill to modify the combination to provide for the following: first body is removably attached to the second body as this arrangement would provide for flexibility to use of equipment to meet user needs as taught by Yachi; and each of the first and second body includes close[sic] range transceiver as this arrangement would facilitate to provide wireless communication between devices as taught by Chihara, thus providing user to move around while communicating as taught by Chihara." It is respectfully submitted that Yachi teaching of a detachable body does not provide for a detachable body in wireless communication. Where both bodies provide for wireless communication with each other, both have wireless transceivers. It is further observed that none of the references alone or in combination disclose bodies of a single device that provide an open position for the device as well as a closed position for the device and also are detachable and provide wireless communication with one another. Therefore, for all these reasons, this rejection to claim 3 should be withdrawn.

Claim 4 is rejected under rejected under 35 U.S.C. § 103(a) as being unpatentable over Mack in view of Shimamura as applied to claim 1, and further in view of U.S. Patent No. 7,133,691 to Kang. These rejections are respectfully traversed. The deficiencies of Mack and Shimamura have been discussed with respect to claim 1 from which claim 4 depends. Kang does not remedy these deficiencies, and therefore this rejection should also be withdrawn.

Claims 5-6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mack in view of Shimamura and Futami (JP09-187060). These rejections are respectfully traversed. The deficiencies of Mack and Shimamura have been discussed with respect to claim 1 from which claims 5-6 depend. Futami does not remedy these deficiencies, and therefore this rejection should also be withdrawn.

Claims 7-11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chihara in view of Iijima et al. (JP2001-298516). These rejections are respectfully traversed. The deficiencies of Mack and Shimamura have been discussed with respect to claim 1 from which claims 7-11 depend. Iijima et al. does not remedy these deficiencies, and therefore this rejection should also be withdrawn.

Claims 26 and 30 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of Mack. These rejections are respectfully traversed. Claims 26 and 30 depend from claim 12. The deficiencies of Kawamura have already been discussed with respect to claim 12. Mack does not remedy this deficiency in that Mack does not provide for the close range transceiver. Therefore, this rejection to claims 26 and 30 should also be withdrawn.

Claims 27-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamura in view of U. S. Patent No. 5,982,764 to Palermo et al. (hereinafter "Palermo"). These rejections are respectfully traversed. There is no convincing evidence that one skilled in the art would combine these references in the manner alleged by the Office Action. In particular, neither reference uses close range transceivers in different bodies of a device, where the bodies of the device create an open position and a first closed position, and a first closed position. Therefore, it is respectfully submitted that these rejections should also be withdrawn.

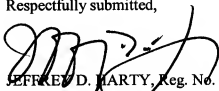
## **Conclusion**

Please consider this a Request for a Three-Month Extension of Time from October 19, 2007 to January 22, 2008 (note that January 19 fell on a weekend and January 21, 2007 was a national holiday, Martin Luther King, Jr. Day) and charge Deposit Account No. 26-0084 the amount of \$1020 for this extension.

No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey D. Marty', is written over the typed name and firm name.

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